

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 56th LEGISLATURE - REGULAR SESSION**

#### **JOINT APPROPRIATIONS SUBCOMMITTEE ON CORRECTIONS AND PUBLIC SAFETY**

**Call to Order:** By **CHAIRMAN STEVE VICK**, on **January 28, 1999** at  
8:15 A.M., in the Conference room of the Fish, Wildlife and  
Parks building.

#### **ROLL CALL**

##### **Members Present:**

Rep. Steve Vick, Chairman (R)  
Sen. Arnie Mohl, Vice Chairman (R)  
Sen. Chris Christiaens (D)  
Rep. Stan Fisher (R)  
Sen. Dale Mahlum (R)  
Rep. Red Menahan (D)  
Sen. Debbie Shea (D)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Skip Culver, Legislative Branch  
Mary LaFond, OBPP  
Linsey Mortensen, Committee Secretary

**Please Note:** These are summary minutes. Testimony and  
discussion are paraphrased and condensed.

##### **Committee Business Summary:**

Hearing(s): Joint Hearing with Long Range  
Planning on the Department of  
Corrections

**Rick Day**, director of the Department of Corrections, gave an  
overview of the departments budgets, introduced the  
administrators, stated the philosophy and principles of the  
department. **EXHIBIT(jih22a01)**

**{Tape : 1; Side : A; Approx. Time Counter : 0.2 - 10.2}**

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**REP. BERGSAGEL** asked of the 93% of the female population that are served outside of prison how many commit crimes. **REP. MENAHAN** asked what out on the streets meant. **REP. MENAHAN** asked how many have women have priors on first offense. **SEN. CHRISTIAENS** asked how one can be considered a violent offender and go from non-dangerous to dangerous.

*{Tape : 1; Side : A; Approx. Time Counter : 10.7 - 15.4}*

Rick Day continued his presentation with talk of the female population, 1998-99 expenditures, and institutional growth.

**EXHIBIT** (jih22a02)

*{Tape : 1; Side : A; Approx. Time Counter : 15.4 - 20.5}*

**SEN. LYNCH** asked about a private company wanted to take over the women's prison. **REP. MENAHAN** asked about putting out a request for privatization. **REP. MENAHAN** asked why not build somewhere else instead of continuing to add on in Billings. **REP. MENAHAN** asked why they are changing their philosophy now.

*{Tape : 1; Side : A; Approx. Time Counter : 20.5 - 27.1}*

Discussion on how long it would take to maximize the women's prison.

*{Tape : 1; Side : A; Approx. Time Counter : 27.1 - 29}*

Rick Day continued his presentation with talk of the male trend; funding last session, the new regional jails, and juveniles.

*{Tape : 1; Side : A; Approx. Time Counter : 29 - 30.9}*

**SEN. BECK** asked why Dawson Jail is not full and it is on-line.

*{Tape : 1; Side : A; Approx. Time Counter : 30.9 - 32.4;}*

**SEN. SWYSGOOD** asked about the turnover rate and back fill. **SEN. CHRITIAENS** asked how many people are in county jail holdings. **REP. MCCANN** asked how many are coming in to the jails and how many are being released. **REP. MENAHAN** asked how many parole violators go back to jail. **SEN. CHRISTIAENS** asked about the status of the sex-offenders contract with Brown's school.

**SEN. BERGSAGEL** asked what authorization they have to move the program at Pine Hills. **SEN. CHRISTIAENS** asked if it is 120 beds or 144 beds at Pine Hills. **REP. MENANHAN** asked about a sex-offender program at Pine Hills. **REP. ZOOK** asked how much their contract beds cost in Deer Lodge and what the cost would be at Pine Hills.

*{Tape : 1; Side : B; Approx. Time Counter : 0.2 - 12.6}*

**Rick Day** continued presentation with talk of the Departments 1998-99 accomplishments.

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**{Tape : 1; Side : B; Approx. Time Counter : 12.6 - 13.9}**

**REP. MENAHAN** asked about employees at Glendive being hired after or before training.

**{Tape : 1; Side : B; Approx. Time Counter : 13.9 - 18.8; Comments : questions from Bergsagel}**

**Rick Day** explained the Cook-Chill.

**SEN. MOHL** asked what the original estimate was for the Cook-Chill. Mr. Day replied that he thought it was about 2.3 million.

**{Tape : 1; Side : B; Approx. Time Counter : 18.8 - 20.4}**

Rick Day continued stating what the Department had accomplished. (Shelby project, Labor programs)

**SEN. SWYSGOOD** asked about the use of the van. **SEN. LYNCH** asked about the prison labor and competing with the "outside" world.

**{Tape : 1; Side : B; Approx. Time Counter : 20.4 - 23.6}**

Continued presentation of statistics on incarceration rates, cost per day, and contracted beds.

**{Tape : 1; Side : B; Approx. Time Counter : 23.6 - 30.1}**

CSOC subcommittee recommendations

**{Tape : 1; Side : B; Approx. Time Counter : 30.1 - 32}**

Proposals for 2000-2001 (women's prison, Missoula pre-release.

**SEN. BECK** asked how much bond they wanted for the women's prison.

**REP. BERGSAGEL** asked about the controversy on the pre-release expansion. **REP. MENAHAN** asked where the Helena pre-release would be. **REP. FISHER** asked what they could do with the old Missoula prison. **REP. MENAHAN** asked about an industries program at the new regional prisons. **SEN. CHRISTIAENS** asked about what they would do if a law-suit occurs.

**{Tape : 2; Side : A; Approx. Time Counter : 0.4 - 6.6}**

Continuation of budget proposals for Pine Hills.

**SEN. LYNCH** asked what the avg. length of stay is at Pine Hills.

**REP. BERGSAGEL** asked what they were doing with their 18-21 year old population. **SEN. CHRISTIAENS** asked about the return of youth to Pine Hills after being released.

**{Tape : 2; Side : A; Approx. Time Counter : 6.6 - 10.6}**

Continuation of budget proposals (populations, caseloads, and probation and parole.)

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**{Tape : 2; Side : A; Approx. Time Counter : 10.6 - 12.3}**

Proposals continued (MSP security and support improvements, 96 cell unit)

**{Tape : 2; Side : A; Approx. Time Counter : 12.3 - 15}**

**SEN. LYNCH** asked why they are back for funding for the Montana Women's Prison.

**{Tape : 2; Side : A; Approx. Time Counter : 15 - 17.6}**

Continued presentation

**REP. MENAHAN** asked about a sex-offender program in Missoula.

**{Tape : 2; Side : A; Approx. Time Counter : 17.6 - 19.1}**

Continued presentation of proposals (training for officers)

**SEN. BECK** asked what the turnover rate for officers is.

**SEN. SWYSGOOD** asked what the cost for male and female out of state placement is. **REP. BERGSAGEL** asked if that cost included medical costs. **REP. MENAHAN** asked how many total beds they have for women.

**{Tape : 2; Side : A; Approx. Time Counter : 19.1 - 25.7}**

Presentation of New Proposals

**SEN. BECK** asked why they need an additional 27 FTE for probation and parole staff. **SEN. BECK** to you expect to increase or decrease the prison population.

**{Tape : 2; Side : A; Approx. Time Counter : 25.7 - 29.5}**

Rick Day continued the presentation talking about the actual and projected populations.

**{Tape : 2; Side : A; Approx. Time Counter : 29.5 - 32.4}{Tape : 2; Side : B; Approx. Time Counter : 0.2 - 0.6}**

**REP. MCCANN** asked about the growth of prisoners and projections.

**{Tape : 2; Side : B; Approx. Time Counter : 0.6 - 6.6}**

Skip Culver asked if the numbers were the same as that the budget was prepared on. **SEN. LYNCH** asked about the consistency of the department.

**{Tape : 2; Side : B; Approx. Time Counter : 6.6 - 9.1}**

Continued presentation on projections (4th offense DUI)

**REP. MENAHAN** asked how many people have violated there parole.

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**SEN. CHRISTIAENS** asked about DUI inmates getting treatment.

**{Tape : 2; Side : B; Approx. Time Counter : 9.1 - 15.6}**

Continued presentation on Female projections

**SEN. LYNCH** asked who did their projections.

**{Tape : 2; Side : B; Approx. Time Counter : 15.6 - 18.2}**

Continued presentation

**SEN. LYNCH** asked about the females length of stay. **REP. ZOOK** asked if the increase in female population also a national trend. **SEN. CHRISTIAENS** asked about the difference between the state and national averages. **REP. FISHER** asked how many are from in state and how many are from out of the state.

**{Tape : 2; Side : B; Approx. Time Counter : 18.2 - 23.6}**

Continued on proposals as they relate to the populations

**{Tape : 2; Side : B; Approx. Time Counter : 23.6 - 28.3}**

**SEN. LYNCH** asked to see how they came up with their projections.

**SEN. CHRISTIAENS** asked where the contracting beds come into play with the projections. **REP. MENAHAN** asked about what they could do with all the capacity they still have in the laundry and cook-chill.

**{Tape : 2; Side : B; Approx. Time Counter : 28.3 - 32.7}**

Presentation continued on Management Plans

**{Tape : 3; Side : A; Approx. Time Counter : 0.1 - 6}**

**SEN. LYNCH** asked about the central reception unit. **REP. MCCANN** asked where the reception area is now, and what they would do with the old maximum security building. **REP. MENAHAN** asked what how many people must they guarantee to Shelby.

**{Tape : 3; Side : A; Approx. Time Counter : 6 - 11.4}**

Presentation on Dr. X, which is the newest building on the Warm Springs state hospital campus.

**{Tape : 3; Side : A; Approx. Time Counter : 11.4 - 17.4}**

**SEN. BECK** asked what they have planned for the sex offenders and how many inmates in the Dr. X building. **SEN. BECK** do they need all the buildings at MSP. **SEN. BECK** what it would be for inmate stay.

**{Tape : 3; Side : A; Approx. Time Counter : 17.4 - 22.8}**

Continuation of presentation on buildings.

**{Tape : 3; Side : A; Approx. Time Counter : 22.8 - 24.9}**

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**Scott Craigle**, facilities manager for the Department of Corrections, gave an overview of projects completed in the last biennium. Also, talked about projects that are under construction.

**{Tape : 3; Side : A; Approx. Time Counter : 24.9 - 30.2}**

**REP. BERGSAGEL** asked if they were in budget on all their projects.

Presentation continued on proposals for this year. (women's expansion)

**{Tape : 3; Side : A; Approx. Time Counter : 30.2 - 32.3}**

**SEN. LYNCH** asked if the state already owned the land.

**{Tape : 3; Side : B; Approx. Time Counter : 0.5 - 0.7}**

Presentation continued

**{Tape : 3; Side : B; Approx. Time Counter : 0.7 - 1.2}**

**REP. BERGSAGEL** asked if they have worked out how much it would cost per day for beds. **SEN. MOHL** asked who gives them their estimates. **SEN. MOHL** asked how close have they been to the projected cost.

**{Tape : 3; Side : B; Approx. Time Counter : 1.2 - 3.3}**

**Jo Acton**, warden at the Montana Women's Prison, gave a description of the prison and what is needed for the expansion.

**{Tape : 3; Side : B; Approx. Time Counter : 3.3 - 12.9}**

**SEN. CHRISTIAENS** asked if Jo has special management populations and how did she deal with them. **REP. BERGSAGEL** asked what her daily rate would be after the expansion.

**{Tape : 3; Side : B; Approx. Time Counter : 11.4 - 14.6}**

**Scott Craigle** continued the presentation talking about improvements to the Pine Hills Youth Correctional facility.

**{Tape : 3; Side : B; Approx. Time Counter : 14.6 - 16.2}**

**SEN. BECK** asked if the Russell building has to be demolished or if there is some way to use it.

**{Tape : 3; Side : B; Approx. Time Counter : 16.2 - 16.5}**

Continuation of presentation - improvements, project costs.

**{Tape : 3; Side : B; Approx. Time Counter : 16.5 - 18.2}**

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**Steve Gibson**, director of the Pine Hills facility, talked about the sex offender programs, admissions, and capacities at Pine Hills.

**{Tape : 3; Side : B; Approx. Time Counter : 18.1 - 23.3}**

**REP. ZOOK** asked what the major reason was for juveniles at Pine Hills. He then asked what the average length of stay was for an individual. **SEN. BECK** asked what would happen if the building was not built. He also asked if a lot of cost would incur if the demolishing was postponed.

**{Tape : 3; Side : B; Approx. Time Counter : 23.3 - 28.1}**

Discussion of the expansion unit at Pine Hills.

**{Tape : 3; Side : B; Approx. Time Counter : 28.1 - 32.2}{Tape : 4; Side : A; Approx. Time Counter : 0.1 - 0.8}**

**REP. ZOOK** asked if they add on will it extend the stay of the juveniles. **REP. FISHER** asked if the kids are harder to work with now than they were 10-20 years ago.

**{Tape : 4; Side : A; Approx. Time Counter : 0.8 - 4}**

Discussion on the length of stay of an individual

**{Tape : 4; Side : A; Approx. Time Counter : 4 - 5.6}**

**Scott Craigle** explained the renovations, improvements and total costs for the Montana State Prison (MSP).

**{Tape : 4; Side : A; Approx. Time Counter : 5.6 - 10.8}**

**Mike Mahoney**, warden at MSP, spoke about the projects and new proposals for this year.

**{Tape : 4; Side : A; Approx. Time Counter : 10.8 - 32.1}**

**TESTIMONY:**

**Terri Minnow**, representing the Montana state employees and Montana Education Association.

**Jerry Thomas**, executive director of the Big Sky Economic Authority. **EXHIBIT(jih22a03)**

**Jani McCall**, representing the City of Billings and Yellowstone Coalition.

**{Tape : 4; Side : A; Approx. Time Counter : 32.1 - 32.5}{Tape : 4; Side : B; Approx. Time Counter : 0.3 - 2.4}**

Discussion and questions on turnover of staff

**{Tape : 4; Side : B; Approx. Time Counter : 2.4 - 4.6}**

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**ADJOURNMENT**

Adjournment: 12:04 A.M.

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REP. STEVE VICK, Chairman

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LINSEY MORTENSEN, Secretary

SV/LM

**EXHIBIT** (jih22aad)